

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

**GEORGE W. ADLER and
DEBRA ALDER, as TRUSTEES
of the ALDER EMPLOYEES
PENSION FUND,**

Plaintiffs,

v.

B.C. ZIEGLER AND COMPANY,

Defendant,

and

BANK ONE TRUST COMPANY, N.A.,

Defendant and Third-Party Plaintiff

No. 01-C-1119

v.

ALDER GROUP, INC.,

Third-Party Defendant

MEMORANDUM AND ORDER

HERNDON, District Judge:

Before the Court is Plaintiffs' Rule 7.4 Expedited Non-Dispositive Motion for an Order Tolling the Time for Filing an Appeal Until Plaintiffs' Motion for Attorney's Fees Has Been Decided. (Doc. 204.) Pursuant to **Fed. R. Civ. P. 58(c)(2)**, Plaintiffs filed this motion (Doc. 204) requesting that the Court toll the finality of the Court's judgment entered on August 29, 2006 until the Plaintiff's motion for

attorney's fees has been decided. (Doc. 203.) Being fully advised in the premises and for the reasons cited in Plaintiff's motion, the Court **GRANTS** Plaintiffs' Motion (Doc. 204) and, for purposes of **Fed. R. App. P. 4(a)**, the finality of the Court's August 29, 2006 judgment is **TOLLED** pending the Court's ruling on Plaintiffs' motion for attorney's fees (Doc 203).

IT IS SO ORDERED.

Signed this 18th day of September, 2006.

/s/ David RHerndon
United States District Judge